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July 29, 2024

Re: *Baxter v. MongoDB, Inc., et al.*, 1:24-cv-5191

The Honorable Gregory H. Woods
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

Dear Judge Woods:

We represent MongoDB, Inc., Dev C. Ittycheria, and Michael Lawrence Gordon (collectively, “Defendants”) in the above-referenced action. Pursuant to Rule 1(E) of the Court’s Individual Rules and Practices in Civil Cases, we write to request an extension of time for our clients to answer or otherwise respond to the putative class action complaint (the “Complaint”) (ECF No. 1) as described below.

On July 9, 2024, Plaintiff commenced this case by filing the Complaint. On July 29, 2024, the undersigned counsel accepted service of process on behalf of Defendants. Defendants’ deadline to answer or otherwise respond to the Complaint is currently August 19, 2024 under Federal Rule of Civil Procedure 12(a)(1).

This case is a putative class action, and the Complaint asserts federal securities claims governed by the Private Securities Litigation Reform Act of 1995 (“PSLRA”). See 15 U.S.C. § 78u-4 *et seq.* The PSLRA provides putative members of the class an opportunity to file motions to serve as lead plaintiff and lead counsel of the purported class within sixty days of notice of the action being published. See 15 U.S.C. §78u-4(a)(3). Because the party appointed lead plaintiff may wish to file a consolidated or amended complaint, which would supersede the Complaint, Defendants respectfully request an adjournment of any deadline to answer or otherwise respond to the Complaint until after the Court appoints a lead plaintiff and lead counsel.

Subject to the Court’s approval, Plaintiff and Defendants have agreed that within fourteen days after the entry of an order by the Court appointing a lead plaintiff and lead counsel, counsel for Defendants will meet and confer with lead counsel regarding a proposed schedule for the filing of any consolidated or amended complaint and for moving to dismiss (or otherwise responding to) the operative complaint. This agreement is subject to Defendants’ express reservation of all rights, defenses or other objections (other than insufficient service of process), and without prejudice to any party seeking further extensions from the Court.

This is Defendants’ first request to the Court for an extension of time to answer or otherwise respond to the Complaint. Plaintiff agrees to the requested extension.

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In light of the foregoing, we respectfully request that the Court grant this letter motion to extend the time for Defendants to answer or otherwise respond to the Complaint as set forth above.

Respectfully submitted,

/s/ Edmund Polubinski

Edmund Polubinski

cc: All counsel of record

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